

**REMARKS**

Claims 1 - 14 and 17 are pending in this patent application, claims 15 and 16 having been canceled.

Claims 1, 2 and 7 have been amended, and claim 17 has been added in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention.

In the final Office Action dated September 20, 2006, claims 1, 2 and 4 - 14 have been rejected under 35 USC 103(a) based on Aigner (U.S. Patent No. 6,734,770) in view of Yao (U.S. Patent No. 5,578,976). The applicants respectfully request reconsideration of this rejection.

The applicants submit that independent claim 1 has been amended in order to emphasize that the first driving electrode is formed separately from the body on the same electrode carrying surface of the extending part as the movable contact conductor. In other words, both of the first driving electrode and the movable contact conductor are formed together on the same electrode carrying surface of the extending part of the movable portion that is opposite to or directed away from the base substrate, as shown in the applicants' Figures 2 - 4. Such claimed structural arrangement or feature was already contained in the last amended claim 1, which set forth that the movable contact

conductor and the first driving electrode were defined as being provided on the electrode carrying surface of the extending part. However, since the Examiner seems to evaluate the locations of the movable contact conductor and the first driving electrode separately rather than in combination, the applicants have further amended claim 1 so as to have the Examiner consider the locations of the movable contact conductor and the first driving electrode in combination. A similar amendment has also been made to independent claim 7.

As previously pointed out, Aigner discloses a microrelay which includes a base substrate 1, a movable portion 9, a movable contact conductor 71, 72, a first stationary contact electrode 31, a second stationary contact electrode 32, and a first driving electrode 6 (actuator electrode). However, the actuator electrode 6 is formed by doping the body of the movable portion 9 with a dopant (see, column 4, lines 11 - 14 in Aigner) so that the doping process must be performed separately from the formation of the movable contact conductor 71, 72, and an additional insulating layer 21, 22 must be interposed between the actuator electrode 6 and the movable contact conductor 71, 72. As noted in Aigner's Figure 3, the other electrodes 53, 54 are stationary electrodes.

Yao discloses a driving electrode (top electrode) 24 provided on the upper surface of the cantilever arm 20 that is directed opposite to the base substrate 12. However, the Examiner may have disregarded the fact that the movable contact electrode 22 is provided on the lower surface of the arm 20 and therefore must be formed separately from the top electrode 24.

On the other hand, claim 2 has been amended in order to recite that the section of the second driving electrode facing the first driving electrode is spaced from the base substrate on a same side as the first driving electrode relative to the base substrate. This claimed structural arrangement or feature, which is clearly shown in the applicants' Figure 4, is significant in that the second driving electrode can be formed simultaneously with the first and second stationary contact electrodes, as shown in the applicants' Figures 8A to 8C. The same discussion also applies to added claim 17.

In Aigner and in Yao, the stationary or actuator electrode or electrodes are formed directly on the substrate.

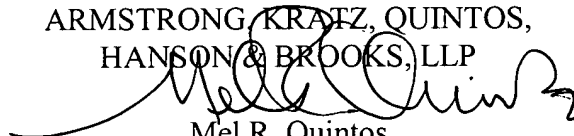
In view of the above, the applicants' submit that the applicants' claimed invention, as now recited in the claims filed herewith, would not have been obvious to a person of ordinary skill in the art under 35 USC 103(a) based on Aigner and Yao, singly or in combination. Accordingly, the withdrawal of the outstanding obviousness rejection under 35 USC 103(a) based on Aigner (U.S. Patent No. 6,734,770) in view of Yao (U.S. Patent No. 5,578,976) is in order, and in therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, the claims, as amended, are believed to be patentable and in condition for allowance, which action, at an early date, is respectfully requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,  
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